

A Continuing Controversy

Was Oswald the lone assassin of JFK?

By Blaine Taylor

What would have happened if the alleged assassin of President John F. Kennedy 25 years ago, Lee Harvey Oswald, had lived to stand trial for his deed? Would he have been convicted of the most controversial murder of all time, or been acquitted because the U.S. prosecution could not have proven his guilt "beyond a reasonable doubt?"

This was the premise behind the recent cable TV Showtime six-hour presentation of *On Trial: Lee Harvey Oswald* that surely must be marked as a historic landmark in quality television by any standards. The superb British presentation made no pretense that Oswald was still living or had somehow survived his assassination by Dallas night club owner Jack Ruby. Rather, the events of November, 1963 were admitted in their known record, and thus the trial — before a real judge, with a real jury and real attorneys trying the case — was held in absentia, much as was that of missing Nazi leader Martin Bormann at Nuremberg in 1945-46.

The prosecuting attorney was famed Manson case prosecutor Vincent Bugliosi, while Gerry Spence had the more difficult task of defending a dead client 23 years after the event. Both sides handled their cases excellently and, ironically, both won in a surprise verdict from two different sets of onlookers.

The actual TV jury of 12 Dallas citizens voted that Oswald alone had killed JFK, while 85% of the viewing audience at home — which participated in a call-in telephone poll — voted to acquit; i.e., that there was too much circumstantial evidence to convict Oswald.

Personally, I shared the opinion of syndicated columnist Jack Anderson

that there should have been a third option available to both jurors and viewers, namely, that Oswald was, indeed, guilty as one of the assassins, but that he was not alone in one of history's foulest deeds.

Former U.S. Attorney General Ramsey Clark defended the 1964 Warren Commission stance, noting that he was glad that, at long last, the government had a chance to present its side of the story to the public, as conspiracy buffs have done with their side for the last two decades, a sentiment echoed in an interview with Bugliosi.

Alan Dershowitz of the Harvard Law School, like both Clark and Anderson, believed that Oswald was guilty, but in their clumsy efforts to suppress and cover up evidence embarrassing to them, felt the FBI and CIA had seriously damaged the American legal process available to protect all citizens.

The most remarkable thing about the riveting telecast was the high number of still living actual eyewitnesses and others from the 1964 hearings (as well as from the 1978 U.S. House hearings) that were introduced into the court proceedings for the viewers and jurors to see, hear and evaluate in the flesh. As Gerry Spence said in his concluding interview, you were able

to see the living participants in history for the first time, not merely read a "dead historical printed record."

Missing, however, were any living Kennedys or Connallys, although Gov. Connally's 1964 taped interview was shown, as was that of Jack Ruby and even clips of the then-living Oswald, who claimed he was set-up as "a patsy." Also shown was the truly shocking Zapruder film in motion, a home movie camera record of the actual shooting of John Kennedy that was not seen in moving pictures on an American TV screen until a full decade after the events.

Older viewers were no doubt shocked at a happening they personally remembered well, while younger viewers — most not even born in 1963 — saw it anew.

The real lesson of the Zapruder film is that this is a case that has not died and should not be allowed to die, for the very real, simple reason that if the President of the United States can be killed in cold blood in broad daylight as the result of a conspiracy that is allowed to succeed with impunity by cover-up and distortion of the truth, then no one — neither you nor I — is safe in this country.

There are many who have said "Enough!" of investigations into the

deaths of JFK, his brother Robert and Martin Luther King, Jr., but they fail to miss the central point of the importance of those murders to our past and, more importantly, to our future as a viable republic, in Jefferson's phrase, "the last best hope of mankind" on this planet.

The trio of assassinations were the central events of the decade of the 1960s, at the very vortex of the struggle for civil rights, against organized crime and over the raging war in Vietnam. It is impossible to understand the true history of our times without these events being cleared up.

Moderator Edwin Newman was startled at the public's verdict, but he needn't have been, for the reasons herein stated. Robert Kennedy used to quote Lincoln (another victim of assassination) who stated, "In a democracy, there can be no successful appeal from the ballot box to the bullet."

Ironically, they were both wrong.

Indeed, who among us will argue that Oswald, John Wilkes Booth, James Earl Ray and Sirhan Sirhan did *not* change the course of history, whether they acted alone or in concert with others?

It is still a chilling, sobering thought in the late 1980s ...



Marina Oswald Porter

ALLEGED LONE ASSASSIN Lee Harvey Oswald, prior to the Dallas killings, holds the mail-order rifle he used to shoot President John F. Kennedy.